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Applicant	NOKIA CORPORATION			Serial of Examiner	Date of Issue
Agent	China Patent Agent (H.K.) Ltd.				March 7, 2008
Patent Application No.	200480004552.4	Application Date	February 17, 2004	Exam Dept.	
Title of Invention	PICTURE CODING METHOD				

First Office Action

(PCT application entering into the national phase)

1. ☒ Under the provision of Art. 35, para. 1 of the Patent Law, the examiner has made an examination as to substance of the captioned patent application for invention upon the request for substantive examination filed by the applicant.

☐ Under the provision of Art. 35, para. 2 of the Patent Law, the Chinese Patent Office has decided to conduct an examination of the captioned patent application for invention on its own initiative.

2. ☒ The applicant requests that

the filing date February 18, 2003 at the US Patent Office be taken as the priority date of the present application,

the filing date June 27, 2003 at the US Patent Office be taken as the priority date of the present application,

the filing date at the Patent Office be taken as the priority date of the present application.

3. ☐ The following amended documents submitted by the applicant cannot be accepted for failure to conform with Art. 33 of the Patent Law:

☐ the Chinese version of the annex to the international preliminary examination report,

☐ the Chinese version of the amended documents submitted according to the provision of Art. 19 of the Patent Cooperation Treaty.

☒ the amended documents submitted on August 18, 2005.

☐ the amended documents submitted according to the provision of Rule 51 of the

Implementing Regulations of the Patent Law.

See the text portion of this Office Action for detailed reasons why the amendment cannot be accepted.

4. ☐ Examination is conducted on the Chinese version of the initially-submitted international application.

☒ Examination is conducted on the following document(s):

☒ page 2-9,12-21 of the description, based on the Chinese version of the initially-submitted international application documents;

page of the description, based on the Chinese version of the annex to the international preliminary examination report;

page 1,1a,10,11,11a,11b of the description, based on the amended documents submitted according to the provision of Art. 28 or Art. 41 of the Patent Cooperation Treaty;

page of the description, based on the amended documents submitted according to the provision of Rule 51 of the Implementing Regulations of the Patent Law.

☒ claim(s) , based on the Chinese version of the initially-submitted international application documents;

claim(s) , based on the Chinese version of the amended documents submitted according to the provision of Art. 19 of the Patent Cooperation Treaty;

claim(s) , based on the Chinese version of the annex to the international preliminary examination report;

claim(s) 1-33, based on the amended documents submitted according to the provision of Art. 28 or Art. 41 of the Patent Cooperation Treaty;

claim(s) , based on the amended documents submitted according to the provision of Rule 51 of the Implementing Regulations of the Patent Law.

☒ Fig(s) 1-6, based on the Chinese version of the initially-submitted international application documents;

Fig(s) , based on the Chinese version of the annex to the international preliminary examination report;

Fig(s) , based on the amended documents submitted according to the provision of Art. 28 or Art. 41 of the Patent Cooperation Treaty;

Fig(s) , based on the amended documents submitted according to the provision of Rule 51 of the Implementing Regulations of the Patent Law.

5. ☒ The following reference document(s) is/are cited in this Office Action [its/their serial

number(s) will continue to be used in the subsequent course of examination):

Serial No.	Number or Title(s) of Document(s)	Date of Publication (or filing date of interfering application)
1	US2002/0105951A1	2002-8-8
2	CN1280743A	2001-1-17
3		Date
4		

6. Concluding comments on the examination:

☐ On the description:

- ☐ What is stated in the application comes within the scope of that no patent right shall be granted as prescribed in Art. 5 of the Patent Law.
- ☐ The description is not in conformity with the provision of Art. 26, para. 3 of the Patent Law.
- ☐ The description is not in conformity with the provision of Art. 33 of the Patent Law.
- ☐ The drafting of description is not in conformity with the provision of Rule 18 of the Implementing Regulations.

☒ On the claims:

- ☒ Claim(s) 18,19,20 come(s) within the scope of that no patent right shall be granted as prescribed in Art. 25 of the Patent Law.
- ☐ Claim(s) _____ has/have no novelty as prescribed in Art. 22, para. 2 of the Patent Law.
- ☒ Claim(s) 1-3,6-17,22-33 has/have no inventiveness as prescribed in Art. 22, para. 3 of the Patent Law.
- ☐ Claim(s) _____ has/have no practical applicability as prescribed in Art. 22, para. 4 of the Patent Law.
- ☐ Claim(s) _____ is/are not in conformity with the provision of Art. 26, para. 4 of the Patent Law.
- ☐ Claim(s) _____ is/are not in conformity with the provision of Art. 31, para. 1 of the Patent Law.
- ☒ Claim(s) 4,21 is/are not in conformity with the provisions of Rule 20 of the Implementing Regulations.
- ☐ Claim(s) _____ is/are not in conformity with the provision of Art. 9 of the Patent Law.
- ☐ Claim(s) _____ is/are not in conformity with the provision of Rule 23 of the Implementing Regulations.

See the text portion of this Office Action for detailed analysis of the above concluding comments.

7. Based on the above concluding comments, the examiner deems that

- ☐ the applicant should make amendment to the application document(s) according to the requirements put forward in the text portion of this Office Action.
- ☐ the applicant should expound in his/its observations why the captioned patent application is patentable and make amendment to what is not in conformity with the provisions pointed out in the text portion of this Office Action, otherwise, no patent right shall be granted.
- ☒ the patent application contains no substantive content(s) for which a patent right may be granted, if the applicant has no sufficient reason(s) to state or his/its stated reason(s) is/are not sufficient, said application will be rejected.
- ☐

8. The applicant should note the following items:

- (1) Under Art. 37 of the Patent Law, the applicant should submit his/its observations within four months from the date of receipt of this Office Action; if, without any justified reason(s), the time limit for making written response is not met, said application shall be deemed to have been withdrawn.
- (2) The amendment made by the applicant to said application should be in conformity with the provision of Art. 33 of the Patent Law, the amended text should be in duplicate and its form should conform with the related provisions of the Guide to Examination.
- (3) If no arrangement is made in advance, the applicant and/or the agent shall not come to the Chinese Patent Office to have an interview with the examiner.
- (4) **The observations and/or amended text should be sent to the Receiving Section of the Chinese Patent Office by mail or by personal delivery, if not sent to the Receiving Section by mail or by personal delivery, the document(s) will have no legal effect.**

9. This Office Action consists of the text portion totalling 17 page(s) and of the following attachment(s):

- ☒ 2 copy(copies) of the reference document(s) totalling 38 page(s).

Examination Dept. No. _____ Examiner _____
9016

Our Ref.: CPEL0553609P

Text of the First Office Action

Application No.: 2004800045524

The present application relates to a picture coding method. After examination, the Examiner hereby gives the following comments:

1. Claim 1 seeks to protect a method for buffering media data in a buffer. Reference document 1 (US2002/0105951A1) discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Figs. 1 and 2) the following technical features are specifically disclosed:

transmitting a plurality of data packets over a network from a source server to a client device (corresponding to the media data being included in data transmission units, and the data transmission units having been ordered in a transmission order of the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order;

a pre-decoder buffer executing pre-decoder buffering (corresponding to buffering media data in a buffer in the present application) (see para. 13 of the Description of reference document 1);

a client terminal device can request the server to set the parameter

preDecoderBufferSizeInBytes (corresponding to a parameter being defined in the present application), indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 1 differs in that: the parameter in claim 1 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 1 as compared with reference document 1 is: defining a parameter for setting a buffer size.

Reference document 2 (CN1280743A) discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames (corresponding to the data transmission unit in the present application) in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames

which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for setting a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of claim 1 by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 1 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, para. three, of the Patent Law.

2. Claim 2 is dependent on claim 1, its additional technical feature has also been disclosed by reference document 1, which specifically discloses (see para. 37 of the Description, Fig. 2): the bars in Fig. 2 represent media frames or packets, for example, the dark bars are video data packets and the light bars are audio data packets. Therefore, when the claim being referred to lacks inventiveness, dependent claim 2 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

3. Claim 3 is dependent on claims 1 and 2, its additional technical feature is that: said media data comprises a slice of an encoded picture. However, in a video communication system, it is common knowledge in the art that: when using an H. 263+ or H. 264/AVC standard to perform encoding transmission, media data of a transmitted video sequence should be made to include a slice of an encoded picture so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 3 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, dependent claim 3 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

4. (Omitted, for this part relates to the Chinese wording of the Claims, to which the attorney will attend.)
5. Claim 4 is dependent on claims 1, 2 and 3, its additional technical feature is that: said transmission unit comprising media data is a VCL NAL unit. However, in a video communication system, it is common knowledge in the art that: when using an H. 264/AVC standard to perform encoding transmission, a transmission unit is made to transmit in the form of VCL NAL unit stipulated by the H. 264/AVC standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 4 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, said dependent claim does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

6. Claim 5 seeks to protect a method for decoding encoded picture stream in a decoder. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Figs. 1 and 2) the following technical features are specifically disclosed:

a source decoder performing decoding to a received encoded picture stream (see Fig. 1 of reference document 1)

transmitting a plurality of data packets over a network from a source server to a client device (corresponding to the media data being included in data transmission units, and the data transmission units having been ordered in a transmission order of the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order;

a pre-decoder buffer executing pre-decoder buffering (corresponding to buffering of data transmission units being performed in the present application) (see para. 13 of the Description of reference document 1);

a client terminal device can request the server to set the parameter `preDecoderBufferSizeInBytes` (corresponding to the parameter being indicated to the decoding process in the present application), indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of said claim differs in that: the parameter in said claim is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by said claim as compared with reference document 1 is: defining a parameter for setting a buffer size.

Reference document 2 (CN1280743A) discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a previously received reference frame, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter,

it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of said claim by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of said claim neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, para. three, of the Patent Law.

7. Claim 6 is dependent on claim 5. Reference document 1 (see para. 48 of the Description) specifically discloses the following technical features: the client terminal selects one of the 4 pre-encoded media streams for playback and adjusts its pre-decoder buffer size according to the corresponding requirements of the chosen media stream (corresponding to said parameter being examined and memory places being reserved for buffering according to said parameter in the present application); wherein the corresponding requirements of the media stream is the size of buffer required by said media stream, which is the maximum number of reference frames contained in the media stream that precede other frames during transmission and get behind with these frames when decoding. Therefore, the additional technical feature of claim 6 has been disclosed by reference document 1. Hence, when the claim being referred to lacks inventiveness,

dependent claim 6 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

8. Claim 7 is dependent on claim 6, its additional technical feature has also been disclosed by reference document 1, which specifically discloses (see para. 13 of reference document 1): a decoder decoding encoded packets (corresponding to the encoded picture stream in the present application), the size of the pre-decoder buffer being dynamically adapted for buffering encoded pictures. Therefore, when the claim being referred to lacks inventiveness, dependent claim 7 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

9. Claim 8 seeks to protect a system comprising an encoder and a buffer. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Fig. 2) the following technical features are specifically disclosed:

the system for buffering streaming data comprises:

transmitting a plurality of data packets (corresponding to the encoded picture media data in the present application) over a network from a source server (corresponding to the encoder in the present application) to a client device to make the media data flow (corresponding to the media data being included in data transmission units having been ordered in a transmission order in the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data

packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order;

a pre-decoder buffer (equivalent to the buffer in the present application) executing pre-decoder buffering (see para. 13 of the Description of reference document 1);

a client terminal device can request the server to set the parameter `preDecoderBufferSizeInBytes` (corresponding to a parameter being defined by a definer in the present application), indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 8 differs in that: the parameter in claim 8 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 8 as compared with reference document 1 is: giving a calculating method for setting a parameter of a buffer size.

Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the

decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of said claim by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 8 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, para. three, of the Patent Law.

10. Claim 9 is dependent on claim 8, its additional technical feature has also been disclosed by reference document 1, wherein (see paras. 15, 40 and 48 of the Description) the following technical features are specifically disclosed: a client device comprises a decoder for decoding a picture stream, and a pre-decoder buffer (corresponding to the memory in the present application); a client terminal device can request the server to set the parameter `preDecoderBufferSizeInBytes` to indicate a minimum pre-decoder buffer size (corresponding to determining the amount of memory places to be reserved by using said parameter in the present application). Therefore, when the claim being referred to lacks inventiveness, dependent claim 9 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

11. Claim 10 is dependent on claim 8, its additional technical feature is that: said multimedia data comprises a slice of an encoded picture. However, in a video communication system, it is common knowledge in the art that: when using an H. 263+ or H. 264/AVC standard to perform encoding transmission, media data of a transmitted video sequence is made to include a slice of an encoded picture stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 10 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, dependent claim 10 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

12. Claim 11 is dependent on claim 8, its additional technical feature is that: said transmission unit comprising media data is a VCL NAL unit. However, in a video communication system, it is common knowledge

in the art that: when using an H. 264/AVC standard to perform encoding transmission, a transmission unit is made to transmit in the form of VCL NAL unit stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 11 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, said dependent claim 11 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

13. Claim 12 seeks to protect a transmitting device for transmitting media data being included in data transmission units. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Fig. 2) the following technical features are specifically disclosed:

transmitting a plurality of data packets over a network from a source server (corresponding to the transmitting device in the present application) to a client device to make the media data flow (corresponding to the data transmission units having been ordered in a transmission order of the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order;

a pre-decoder buffer (corresponding to the memory in the present application) executing pre-decoder buffering (see para. 13 of the Description of reference document 1);

a client terminal device can request the server to set the parameter `preDecoderBufferSizeInBytes` (corresponding to a parameter being defined by a definer in the present application), indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 12 differs in that: the parameter in claim 12 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 12 as compared with reference document 1 is: giving a calculating method for setting a parameter of a buffer size.

Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames

occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of claim 12 by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 12 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, paragraph three, of the Patent Law.

14. Claim 13 is dependent on claim 12, its additional technical feature is that: said media data comprises a slice of an encoded picture. However, in a video communication system, it is common knowledge in the art that: when using an H. 263+ or H. 264/AVC standard to

perform encoding transmission, media data of a transmitted video sequence is made to include a slice of an encoded picture stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 13 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, dependent claim 13 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

15. Claim 14 is dependent on claim 12, its additional technical feature is that: said transmission unit comprising media data is a VCL NAL unit. However, in a video communication system, it is common knowledge in the art that: when using an H. 264/AVC standard to perform encoding transmission, a transmission unit is made to transmit in the form of VCL NAL unit stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 14 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, said dependent claim 14 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

16. Claim 15 seeks to protect a receiving device for receiving encoded picture stream as data transmission units. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Fig. 2) the following technical features are specifically disclosed:

transmitting a plurality of data packets over a network from a source server to a client device (corresponding to the receiving device in the present application) to make the media data flow (corresponding to the data transmission units having been ordered in a transmission order of the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order;

a pre-decoder buffer (corresponding to the memory in the present application) executing pre-decoder buffering (see para. 13 of the Description of reference document 1); a client terminal comprises a means for dynamically adapting the variable buffer size of the pre-decoder buffer (corresponding to the means for determining buffering requirements in the present application) and can request the server to set the parameter `preDecoderBufferSizeInBytes`, indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 15 differs in that: the parameter in claim 15 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 15 as compared with reference document 1 is: giving a

calculating method for setting a parameter of a buffer size.

Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of claim 15 by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 15 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, para. three, of the Patent Law.

17. Claim 16 is dependent on claim 15. Reference document 1 (see paras. 13, 15 and 48 of the Description, Fig. 1) specifically discloses that: a client device comprises a pre-decoder buffer (corresponding to the memory in the present application) and a means for dynamically adapting the variable buffer size of the pre-decoder buffer, the means (corresponding to the definer in the present application) defines a default minimum pre-decoder buffer size and dynamically adapts its buffer size in accordance with the corresponding requirements of a media stream (corresponding to examining said parameter and for reserving memory places for buffering from said memory according to said parameter in the present application). Therefore, the additional technical feature of claim 16 has been disclosed by reference document 1. When the claim being referred to lacks inventiveness, dependent claim 16 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

18. Claim 17 is dependent on claim 16. Reference document 1 (see paras. 13 and 48 of the Description, Fig. 1) specifically discloses that: a source decoder performs decoding to a received encoded picture stream; a client device adjusts its pre-decoder buffer size according to the corresponding requirements of a selected media stream, and uses a pre-decoder buffer to execute pre-decoder buffering (corresponding to using the reserved memory places for buffering the encoded pictures

in the present application). Therefore, the additional technical feature of claim 17 has been disclosed by reference document 1. When the claim being referred to lacks inventiveness, dependent claim 17 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

19. Claims 18 and 19 both seek to protect "a computer program product", but the physical property of the product itself does not change, the subject matter being claimed is substantively a computer program itself. As a computer program itself is not protected by a patent, thus the claimed contents of claims 18 and 19 belong to objects to which no patent right shall be granted (see section 2, chapter 9, part II of the Guidelines for Examinations) as prescribed in Article 25, para. one (2), of the Patent Law.
20. Claim 20 seeks to protect a signal carrying media data included in data transmission units. However, said signal belongs to an information expression method which is not protected by a patent right. Therefore, claim 20 is not in conformity with the provision of Article 25, para. one (2), of the Patent Law.
21. Claim 21 seeks to protect a module for receiving encoded picture stream as data transmission units comprising media data, wherein the module can be a component of a device in the physical aspect, or can be a step in a method, or can be a segment of a computer program. Therefore, the type of the subject matter being claimed is not clear. A claim should be drafted as a product claim or a process claim (see sections 3.1.1 and 3.2.2 in chapter 2, part II, of the Guidelines for Examinations). The title of the subject matter of said claim does not indicate whether the claimed subject is a product or a process, hence the type of the subject matter of said claim is not clear, being not in

conformity with the provision of Rule 20, para. one, of the Implementing Regulations of the Patent Law.

Assuming that the claimed module of claim 21 is a device for receiving encoded picture stream as data transmission units comprising media data or its corresponding method, reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Fig. 2) the following technical features are specifically disclosed:

transmitting a plurality of data packets (corresponding to the data transmission units in the present application) over a network from a source server to a client device to make the media data flow (corresponding to the data transmission units having been ordered in a transmission order of the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order;

a client terminal comprises a means for dynamically adapting the variable buffer size of the pre-decoder buffer (corresponding to the means for determining buffering requirements in the present application) and can request the server to set the parameter `preDecoderBufferSizeInBytes`, indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 21 differs in that: the parameter in claim 21 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 21 as compared with reference document 1 is: giving a calculating method for setting a parameter of a buffer size.

Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is

indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of said claim by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 21 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, paragraph three, of the Patent Law.

22. Claim 22 seeks to protect a processor for processing media data in a transmitting device. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Fig. 2) the following technical features are specifically disclosed:

a client device (corresponding to the processor in the present application) receives a plurality of data packets transmitted over a network from a source server (corresponding to the transmitting device in the present application); a pre-decoder buffer therein executes pre-decoder buffering (see para. 15 of the Description of reference document 1); a client terminal can request the server to set the parameter `preDecoderBufferSizeInBytes` (corresponding to a parameter being defined by a definer in the present application),

indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 22 differs in that: the parameter in claim 22 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 22 as compared with reference document 1 is: giving a calculating method for setting a parameter of a buffer size.

Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum

number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of said claim by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 22 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, paragraph three, of the Patent Law.

23. Claim 23 is dependent on claim 22, its additional technical feature is that: said media data comprises a slice of an encoded picture. However, in a video communication system, it is common knowledge in the art that: when using an H. 263+ or H. 264/AVC standard to perform encoding transmission, media data of a transmitted video sequence is made to include a slice of an encoded picture stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 23 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks

inventiveness, dependent claim 23 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

24. Claim 24 is dependent on claim 22, its additional technical feature is that: said transmission unit comprising media data is a VCL NAL unit. However, in a video communication system, it is common knowledge in the art that: when using an H. 264/AVC standard to perform encoding transmission, a transmission unit is made to transmit in the form of VCL NAL unit stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 24 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, said dependent claim 24 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

25. Claim 25 seeks to protect a processor for processing media data in a receiving device. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Fig. 2) the following technical features are specifically disclosed:

a client device (corresponding to the processor in the present application) receives a plurality of data packets transmitted over a network from a source server (corresponding to the transmitting device in the present application) and performs buffering and decoding thereto (see para. 15 of the Description of reference document 1); a client terminal comprises a means (corresponding to the means for determining buffering requirements in the present application) for dynamically adapting the variable buffer size of the

pre-decoder buffer, being able to request the server to set the parameter `preDecoderBufferSizeInBytes` to indicate a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 25 differs in that: (1) the parameter in claim 25 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order; (2) the transmission units comprise slice data. Based on said distinguishing technical features it can be determined that the technical problem actually to be solved by claim 25 as compared with reference document 1 is: giving a calculating method for setting a parameter of a buffer size and making a transmission unit comprise slice data such that an H. 263+ or H. 264/AVC standard can be applied to the system.

Feature (1) of said distinguishing technical features has been disclosed by reference document 2. Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As

decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature (1). Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

As for feature (2), in a video communication system, it is common knowledge in the art that: when using an H. 264/AVC standard to perform encoding transmission, a transmission unit is made to transmit in the form of VCL NAL unit stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 25 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, said dependent claim does not possess the inventiveness provided for in Article 25, para. three, of the Patent Law either.

26. Claim 26 is dependent on claim 25, its additional technical feature has also been disclosed by reference document 1, wherein (see paras. 15, 40 and 48 of the Description) the following technical features are specifically disclosed: a client device comprises a pre-decoder buffer (corresponding to the memory in the present application) and a means (corresponding to the means for determining buffering requirements in the present application) for dynamically adapting the variable buffer size of the pre-decoder buffer, the means defines a default minimum pre-decoder buffer size and dynamically adapts its buffer size in accordance with the corresponding requirements of a media stream (corresponding to using a definer to examine said parameter and for reserving memory places for buffering from said memory according to said parameter in the present application). Therefore, when the claim being referred to lacks inventiveness, dependent claim 26 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

27. Claim 27 is dependent on claim 25, its additional technical feature has also been disclosed by reference document 1, wherein (see para. 15 of the Description of reference document 1) the following technical features are specifically disclosed: a client device comprises a decoder for decoding a picture according to the received picture stream; and a pre-decoder buffer for receiving an encoded picture stream and performing buffering by using a pre-assigned buffering space. Therefore, when the claim being referred to lacks inventiveness, dependent claim 27 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

28. Claim 28 seeks to protect an encoder. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description,

Fig. 2) the following technical features are specifically disclosed:

in a complete video communication system formed by a streaming media buffering and playback device:

a source server (corresponding to the encoder in the present application) for transmitting a plurality of data packets (corresponding to the encoded media data in the present application) over a network to a client device to make the media data flow (corresponding to the data transmission units having been ordered in a transmission order of the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order;

a pre-decoder buffer (corresponding to the memory in the present application) executing pre-decoder buffering (see para. 13 of the Description of reference document 1)

a means for dynamically adapting the variable buffer size of the pre-decoder buffer (corresponding to the means for determining buffering requirements in the present application), the means defines a default minimum pre-decoder buffer size (corresponding to a parameter being defined by a definer in the present application) and adjusts the parameter according to the corresponding requirement of the media stream (see paras. 42-44 of the Description of reference document 1).

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 28 differs in that: the parameter in claim 28 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 28 as compared with reference document 1 is: giving a calculating method for setting a parameter of a buffer size.

Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is

indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of said claim by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 28 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, para. three, of the Patent Law.

29. Claim 29 is dependent on claim 28, its additional technical feature is that: said media data comprises a slice of an encoded picture. However, in a video communication system, it is common knowledge in the art that: when using an H. 263+ or H. 264/AVC standard to perform encoding transmission, media data of a transmitted video sequence is made to include a slice of an encoded picture stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 29 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, dependent claim 29 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

30. Claim 30 is dependent on claim 28, its additional technical feature is that: said transmission unit comprising media data is a VCL NAL unit. However, in a video communication system, it is common knowledge in the art that: when using an H. 264/AVC standard to perform encoding transmission, a transmission unit is made to transmit in the form of VCL NAL unit stipulated by said standard so as to be compatible with the standard. For those skilled in the art, it is obvious to obtain the technical solution of claim 30 by combining reference document 2 and the common knowledge in the art on the basis of reference document 1 in order to solve their technical problem. Therefore, when the claim being referred to lacks inventiveness, said dependent claim 30 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

31. Claim 31 seeks to protect a decoder for decoding encoded picture stream included in data transmission units. Reference document 1 discloses a method for buffering and playback of a streaming media and the corresponding apparatus, wherein (see paras. 9-48 of the Description, Fig. 2) the following technical features are specifically disclosed:

in a complete video communication system formed by a streaming media buffering and playback device:

a source server for transmitting a plurality of data packets over a network to a client device to make the media data flow (corresponding to the media data being included in data transmission units and the data transmission units having been ordered in a transmission order of the present application) (see para. 13 of the Description of reference document 1);

the information required to reconstruct a predictively encoded sequence being unequally distributed between the transmitted data packets (see para. 9 of the Description of reference document 1), that is, the transmission order is at least partly different from the decoding order,

a means for dynamically adapting the variable buffer size of the pre-decoder buffer (corresponding to the means for determining buffering requirements in the present application) and can request the server to set the parameter `preDecoderBufferSizeInBytes`, indicating a minimum pre-decoder buffer size (see paras. 42-44 of the Description of reference document 1); the buffered data is decoded by a decoder.

As compared with the contents disclosed by reference document 1, the claimed technical solution of claim 31 differs in that: the parameter in claim 31 is indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. Based on said distinguishing technical feature it can be determined that the technical problem actually to be solved by claim 31 as compared with reference document 1 is: giving a calculating method for setting a parameter of a buffer size.

Reference document 2 discloses a transcoder and its corresponding method, wherein (see lines 1-14 on page 11 of the Description of reference document 2, Fig. 2) the following technical features are specifically disclosed: the decoder part comprises a frame reordering unit which receives the decoded frames in the order of receipt (corresponding to the transmission order in the present application), and outputs them in display and capture order (corresponding to the decoding order in the present application); if more P and B frames

occur between each I frame, the picture reordering unit will need to be arranged to store more frames of data. That is, the capacity of the frame reordering unit is determined by the number of P and B frames occurring between each I frame. As decoding of P and B frames need to use a reference frame previously received by the decoder, thus "more P and B frames occurring between each I frame" means there exist more reference frames which precede other frames during transmission and get behind with other frames in the decoding order, namely, the capacity of the frame reordering unit (corresponding to the buffer in the present application) is determined by the maximum number of reference frames which precede other frames in the packet flow in the transmission order and follow other frames in the decoding order. When using a buffer size as a parameter, it is indicative of the maximum number of said reference frames. This has disclosed said distinguishing technical feature. Besides, the function of said feature in reference document 2 is identical with that in the present invention for solving its technical problem, both for giving a calculating method for setting a parameter of a buffer size. Therefore, reference document 2 has given a technical inspiration of applying said technical feature to reference document 1 to solve its technical problem.

From this it can be known that it is obvious for those skilled in the art to obtain the claimed technical solution of said claim by combining reference document 2 on the basis of reference document 1. Therefore, the claimed technical solution of claim 31 neither possesses prominent substantive features nor represents notable progress, hence not possessing the inventiveness provided for in Article 22, paragraph three, of the Patent Law.

32. Claim 32 is dependent on claim 31. its additional technical feature has

also been disclosed by reference document 1, which (see paras. 15, 40 and 48 of the Description, Fig. 1) specifically discloses that: a client device comprises a pre-decoder buffer (corresponding to the memory in the present application) and a means (corresponding to the means for determining buffering requirements) for dynamically adapting the variable buffer size of the pre-decoder buffer, the means defines a default minimum pre-decoder buffer size and dynamically adapts its buffer size in accordance with the corresponding requirements of a media stream (corresponding to examining said parameter and for reserving memory places for buffering from said memory according to said parameter in the present application). Therefore, when the claim being referred to lacks inventiveness, dependent claim 32 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

33. Claim 33 is dependent on claim 32, its additional technical feature has also been disclosed by reference document 1, which (see para. 15 of the Description of reference document 1) specifically discloses that: a pre-decoder buffer for receiving an encoded picture stream and performing buffering by using a pre-assigned buffering space. Therefore, when the claim being referred to lacks inventiveness, dependent claim 33 does not possess the inventiveness provided for in Article 22, para. three, of the Patent Law either.

For the above reasons, the independent claims and the dependent claims of the present application cannot be granted the patent right for lacking inventiveness or the claimed contents being not object to be protected by a patent right. Besides, the Description does not carry any other substantive content eligible for a patent right either. Even if the applicant recombines and/or further defines the claims according to the Description, the application still does not have the prospect of being granted the patent

right. If the applicant fails to produce convincing arguments for the inventiveness of the present application within the time limit fixed in this office action, the present application will be rejected.

Examiner: Li Ping

Code: 971K